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Attorneys for Defendants

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

DELPHI CORPORATION et. al.,

Plaintiffs,

-against-

NORSK HYDRO CANADA, INC. and
NORSK HYDRO CANADA,

Defendants.

Case No. 07-02435

AFFIDAVIT OF YVES BEAUDRY

Yves Beaudry being duly sworn, deposes and states as follows:

1. I am over the age of 18 years and fully competent to testify to the facts and matters set forth herein.
2. In 2006, I was employed by Norsk Hydro Canada, Inc. ("NHCI"). NHCI was a supplier of magnesium products to the North American automotive industry.

3. NHCI announced publicly in October of 2006 that NHCI would cease operations and close its manufacturing facility located in Becancour, Quebec in 2007. A copy of a news article announcing such closure, and published by CBC News, a web site maintained by the Canadian Broadcasting Company, is attached hereto as Exhibit 1.

4. Thereafter, NHCI notified all of its customers of its impending closure.

5. NHCI's primary manufacturing facility, located in Becancour, Quebec, was demolished in 2009.

6. In 2008, NHCI was formally dissolved.

7. In connection with the wind down of NHCI's affairs, I was charged with receiving, on NHCI's behalf, any mail or other communications from any creditors of NHCI.

8. I had no notice of any claim, demand, or lawsuit by Delphi asserting that NHCI was liable to Delphi for any "preference claims" until I received a copy of the Summons and Complaint in this suit in March of 2010.

9. After NHCI ceased doing business, the records of NHCI were sent to its owner, a StatOil affiliate, for storage. At this time, I do not know if the accounts receivable records pertaining to NHCI's sales of magnesium products to Delphi are available, in either electronic or paper form.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.


YVES BEAUDRY

Norsk Hydro confirms closure of Quebec plant

Last Updated: Tuesday, October 31, 2006 | 12:29 PM ET

[CBC News](#)

Norsk Hydro confirmed Tuesday that its magnesium plant in Becancour, Que., will close next year because the company has not been able to find a suitable buyer.

The board of directors approved the shutdown of the plant, which currently employs about 380 people, in the first half of 2007. And last week, Norsk Hydro said it was trying to find a buyer for the plant.

Now the company says it has been unable to find a buyer "with the financial strength to provide the plant and its employees with reasonable security for the future."

The closure will coincide with the end of a 10-year magnesium supply contract with General Motors.

The company cited the influx of low-price magnesium shipments from China as a reason for the shutdown.

"Sadly, we no longer have a basis for magnesium production in Canada," said executive vice president Svein Richard Brandtzaeg, who is head of Norsk Hydro's aluminum products business. "We will now help our colleagues find new jobs, within Hydro or outside the company."

Norsk Hydro opened the plant, which is about 150 kilometres northwest of Montreal, in 1989 as part of its drive to target the U.S. auto industry.

The company is getting out of the global magnesium business and has already closed a plant in Norway. The company also plans to sell off its magnesium casthouses in Germany and China.

- This story is now closed to commenting.